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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,958	09/20/2006	Poul Erik Jespersen	PATRADE	8746

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EXAMINER	
SCRUGGS, ROBERT J	

ART UNIT	PAPER NUMBER
3723	

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02/10/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/581,958	JESPERSEN, POUL ERIK	
	Examiner	Art Unit	
	ROBERT SCRUGGS	3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5* is/are pending in the application.

4a) Of the above claim(s) *none* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment received December 4, 2008. Claims 1-5 remain pending in the application and have been fully examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4 are **Finally** rejected under 35 U.S.C. 103(a) as being unpatentable over Platt (1666347) in view of Rosa (6113472).

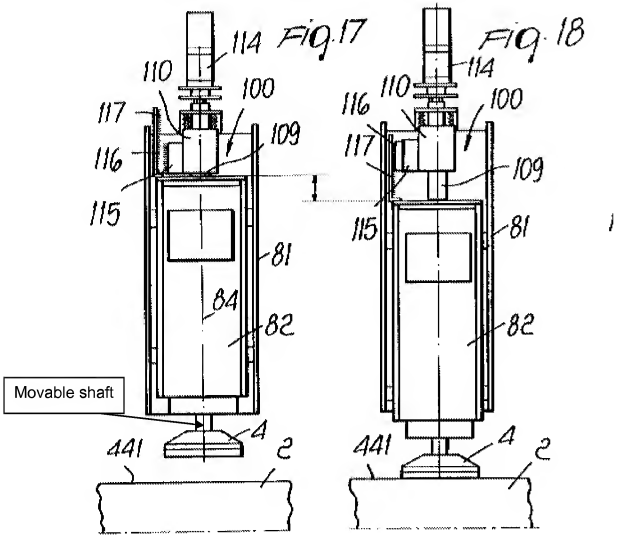
In reference to clam 1, Platt discloses a grinding apparatus for processing a workpiece (the examiner notes that the type of workpiece used is considered intended use and does not add patentable weight to the claim because as long as the structure of the Platt meets the structure required by the claims the device could obviously be used on any type of workpiece which includes one having edges, roundings and burrs) comprising, a support arrangement (4) holding a number of grinding heads (12) each of which include grinding elements, an endless conveyer means formed as drive chain (14) which moves the grinding heads in an annular coarse by at least one driving motor (Page 2, Column 1, Lines 1-14), since this chain is a three dimensional chain it would have at least one long side (i.e. its height) perpendicular to an underlying conveyor (2), but lacks, a grinding motor for each grinding head. However, Rosa discloses a grinding

apparatus with a moveable support frame (51) which includes multiple grinding heads (1) (Figure 6) each of which include driving motors (82), said grinding heads being movably connected to a chain by attaching means (81) and the grinding heads can also be moved vertically up and down with respect to the workpiece (Column 4, Lines 16-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the single drive chain (22) which drives all the grinding heads simultaneously, of Platt, with grinding motors that individually drive each grinding head, in view of Rosa, in order to individually maintain constant pressure at different locations thereby removing the surface of the workpiece without causing undesired stress.

In reference to claim 2, Platt also discloses using drive chains (14) for engaging drive wheels (15) driven by moving motors (Page 2, Column 1, Lines 1-14).

In reference to claim 3, Rosa also teaches of providing a moveable frame (51) as previously mentioned above.

In reference to claim 4, Rosa also teaches of providing a movable shaft (see figure below) connected to the grinding motors.



4. Claim 5, is **Finally** rejected under 35 U.S.C. 103(a) as being unpatentable over Platt (1666347) in view of Rosa (6113472) further in view of Knost (2985989) or Price et al. (2901868). Platt discloses the claimed invention previously mentioned above, but lacks, having grinding elements that rotate in opposite directions. However, Knost teaches a technique of rotating multiple grinding elements (26-29) in opposite directions

(Figure 3). In addition, Price et al. also teach a technique of rotating a row of grinding elements (20) in an opposite direct from a second row of rotating elements (20) (Figure 2) (Column 2, Lines 27-31). One of ordinary skill in the art could have applied to the known technique of rotating rows of grinding elements in opposite directions with respect to each other, as taught by Knost or Price et al., in the same way to the device, of Platt, and the results would have been predictable. In this situation one could more effectively grind a workpiece such that it is provided with a true and level surface finish.

Response to Arguments

5. Applicant's arguments filed December 4, 2008 have been fully considered but they are not persuasive.

6. Applicant contends that **"Rosa is non-analogous art and cannot render the present invention obvious because it is neither in the field of Applicant's endeavor, nor reasonably pertinent to the particular problem with which the applicant was concerned. Rosa should be removed as a reference."**

a. However, the examiner respectfully disagrees with this statement. Platt uses a single belt and a single motor to rotate multiple grinding elements. Rosa teaches that multiple grinding elements could be rotated individually with individual motors which effectively remove an outer layer from the workpiece while reducing stress in the workpiece (Column 1, Lines 63-65). Both references deal with rotating grinding elements therefore the examiner believes that clearly one of ordinary skill in the art could have substituted a chain for individual motors

in order to effectively remove an outer layer from the workpiece while reducing stress in the workpiece.

2. Applicant contends that **"Therefore the references, even in combination, do not teach or suggest epicyclic movement of the grinding elements across an item that includes edges, roundings and burrs. The references thus do not teach or suggest each and every limitation of Claim 1."**

b. However, the examiner respectfully disagrees with this statement. Platt shows that the grinding elements move in an epicyclic motion which can be seen in Figure 1 therefore the examiner believes the rejection is proper and thus maintained.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Specifically, the applicant added that a row of grinding elements rotated in an opposite direction than a second row of rotating grinding elements. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT SCRUGGS whose telephone number is (571)272-8682. The examiner can normally be reached on Monday-Friday 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RS

/Joseph J. Hail, III/
Supervisory Patent Examiner, Art Unit 3723